SLIGO MAGISTRATES.

RETURN to an ORDER of the Honourable The House of Commons, dated 23 November 1837;—*for*,

COPY of a MEMORIAL forwarded to the LORD LIEUTENANT of *Ireland* from certain MAGISTRATES of the County of *Sligo*, and others, impugning the Conduct of Major *Browne* (Government Magistrate) during the late contested Election for that County, with the Signatures attached thereto.

Also, COPY of the REPORT of the TRIBUNAL to which the Investigation founded thereupon was entrusted; together with the DECISION of the LORD LIEUTENANT, as communicated in a Letter signed by Mr. Under-Secretary *Drummond*.

TO His Excellency *Constantine* Earl *Mulgrave*, Lord Lieutenant-General and General Governor of *Ireland*.

THE MEMORIAL of the undersigned Electors and Inhabitants of the County and Borough of *Sligo*,

Humbly Showeth,

THAT an election of two Members to serve in the Imperial Parliament for the county of Sligo was held on the 12th day of August last at the County Court-house, in the town of Sligo, and on that occasion that four persons were proposed as candidates for the representation of the county, and that a contest ensued; that, during the time such contest continued, large numbers of the friends and supporters of the respective candidates came from all parts of the county, and were, during the hours of polling, assembled in large numbers about the Court-house and tally-rooms of the candidates, all of which were in the same neighbourhood; that the preservation of the public peace was entrusted to three stipendiary magistrates, who had a considerable force of cavalry, infantry, and police under their command, and that the principal part of this force was assembled in the neighbourhood of the Court-house during the time of polling:

That on the 14th day of August, being the second day of the election and first day of taking the poll, a charge was made by a considerable number of dragoons, under the command of Major Browne, S. M., on a large concourse of people assembled opposite Mr. Jones's tally-room, and on that occasion severe wounds were inflicted on several persons by the sabres of the soldiers and the trampling of their horses, by some of which the lives of the sufferers were endangered:

That many other persons were grievously injured by the pressure and rush of the crowd escaping from the violence and impetuosity of the attack made by the military; that this charge of dragoons was so sudden and unexpected, that those who stood close beside them and Major Browne had no conception that any violent interference on the part of the military would have been ordered, and in consequence did not provide for their own safety by going away:

Your Memorialists emphatically state that no violence or riot then occurred on the part of the people which could justify the charge of dragoons, by which considerable bloodshed was occasioned and the lives of many of Her Majesty's subjects endangered; that at the election of a Member for this borough, which had taken place a few days previously, Messrs. Crossley and Blake, special magistrates, preserved the public peace without any force being resorted to or any riot occurring, though equal excitement prevailed at both elections:

That Major Browne ordered the dragoons to charge on his own responsibility, and did not consult with the other stipendiary magistrates on that occasion, though he had more recently arrived; that some short time before this charge was made, Major Browne was in the committee-rooms of Colonel Perceval, the candidate immediately in opposition to Mr. Jones, and was in the constant habit of frequenting these rooms, and that several of the dragoons in the presence and view of

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many gentlemen (two of whom, Messrs. Myles M'Donnell and Martin D. Manning, are magistrates) were, from the windows of these same rooms, supplied with wine and ardent spirits, and that they must have been labouring under excitement occasioned thereby when they inflicted these wounds on the people:

That this unfortunate occurrence has created great excitement and general indignation throughout this county, and has a strong tendency to weaken amongst the lower classes that confidence in the impartial administration of the laws which will best restrain any tendency to their violation:

It is also generally supposed that this charge on the people was ordered by Major Browne, for the purpose of intimidating the friends of Mr. Jones, and influencing the result of the election:

Your Memorialists would therefore respectfully submit to your Excellency's consideration, that an investigation is most imperatively called for, and is due both to the character of Major Browne and to the people of this county whose safety has been endangered, and whose feelings have (in your Memorialists' opinion) been grievously outraged, and the free exercise of the franchise interfered with. This application to your Excellency would have been earlier made by Memorialists, but that your Memorialists supposed that a similar application had been made by the High Sheriff of this county immediately after the election, and acceded to by your Excellency.

Your Memorialists therefore pray your Excellency would be pleased to order that a public inquiry should be forthwith instituted into the above occurrence and the circumstances connected therewith, and your Memorialists will ever pray.

(signed)

James Crofton, D.D.	M. O'Callaghan, P.P., Drumcliff	Thomas Bolond	Michael Giblin
William Kelly, J.P.	John Gallaher	John Gallaher	Andrew Cunningham
M. D. Manning, J.P.	M. Devitt, M.D.	James Boyle	James Brenan
C. J. M'Dermot, J.P., Coolavin	Andrew Egan	James Kenny, M.D.	J. N. O'Donovan
Val. Irwin, J.P.	Michael Higgins	Patt Kelty	J. J. O'Donovan
Martin Madden	Stephen M'Creery	Dominick Henery	Thomas M'Gowan
Alex. Henry, M.D.	William Donnellan	Bernard P. Goodman	Owen Carrolan
Mathew Walsh	J. O'Donnell	Peter Connellan	James Brenan
Patrick M'Loghlin	Edward Kelly	James Tighe	Henry Doherty
Michael Ghlin	Henry O'Connor	Michael Gillan	Edmund Rochfort
Terence O'Donnell	Andrew Walker	Dominick Hunt	Edward H. Verdon
G. Fenton, Attorney	Michael Gallaher	Michael Gaffney	John Thomas Verdon
Owen Feeny, C.C.	Patrick Murphy	Francis M'Gloin	James Gallaher
James Madden	Charles O'Connor	James Tucker	L. Macternan
Thomas Kelly	John Henry	Andrew Darig	Thomas J. Rice.
		Peter Hart	

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31 October 1837.

I HEREWITH submit the proceedings of the investigation held at Sligo into the conduct of Major Browne; the proceedings commenced on the 16th of October, and were continued by adjournment to the 20th of October inclusive. A rough sketch, called "A Map of Old Market Street," is annexed to the proceedings, as it is that which was shown to the witnesses when they gave their evidence. I attach also a paper of distances, as measured by a person whom I employed for that purpose, which was shown to the counsel on both sides.

(signed) *J. S. Kennedy.*

DECISION OF THE LORD LIEUTENANT.

10 November 1837.

His Excellency has read and carefully considered all the evidence given upon the investigation, which he had directed to be held by Colonel Shaw Kennedy, into several charges preferred in a memorial from certain electors of the county of Sligo, against Major Browne, for his conduct during the late election for that county.

His Excellency does not find in any part of the report any evidence in the slightest degree affecting that high character for the strictest impartiality in the discharge of his duties, which, at various contested elections and upon other trying

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trying occasions, Major Browne has hitherto maintained, with the uniform confidence of persons of all parties, and with the frequently expressed approbation of his Excellency himself.

With respect to the movement of troops commanded by him on the morning of the 14th August, his Excellency remarks, that it seems generally admitted that, at that moment, some movement was necessary, and his Excellency is disposed to take into consideration the peculiar urgency of immediate interference, where the object is not merely to disperse one riotous assemblage, but to prevent impending collision between two hostile and exasperated bodies of people, his Excellency, therefore, sees no reason to question the use, under such pressing circumstances, made of the discretion vested in Major Browne by virtue of his office.

His Excellency is not disposed to regret that such an inquiry should have been held into this unfortunate occurrence, which had naturally excited considerable sensation, and the justification of which must depend upon an accurate explanation, and a due understanding of the peculiar circumstances of the moment; but he certainly would have been better pleased, had it not appeared in evidence that individuals had attached their signatures to a memorial containing charges most seriously affecting the character of a public officer, not only without previously examining into the truth of those charges, but without even informing themselves of what they consisted, by reading the memorial to which their names are annexed.

By his Excellency's command,
(signed) *T. Drummond.*

(True copies.)

Dublin Castle,
2 December 1837.

(signed) *T. Drummond.*

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SLIGO MAGISTRATES.

MEMORIAL to the Lord Lieutenant of *Ireland* from certain Magistrates of the County of *Sligo*, and others, impugning the Conduct of Major *Browne* during the late contested Election, &c.

(Colonel Perceval.)

Ordered, by The House of Commons, *to be Printed,*
12 *December* 1837.

36.

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